REMARKS

The Office action dated December 15, 2004 and the cited references have been carefully considered.

Status of the Claims

Claims 16, 17, and 21 are pending.

Claims 16, 17, and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Toyoshima et al. (U.S. Patent 4,954,586; hereinafter "Toyoshima"). The Applicants respectfully traverse this rejection for the reasons set forth below.

Remarks on the Amendments to the Claims

The subscripts on the methylene groups in claims 16, 17, and 21 have been amended to clarify that the number of methylene units is generally different from the number of the –O-Si(R_1)(R)- groups of the macromonomer. One having ordinary skill in the art expects that they differ from each other. For example, the specification discloses that the number of methylene groups depends on the type of methacrylate-containing monomer (see; e.g., non-limiting examples of these monomers in paragraph [0018]). However, the number of the –O-Si(R_1)(R)- groups depends on the type of cyclic siloxane used (see; e.g., paragraph [0016]).

Support for the limitation of "each R group comprises an aromatic group covalently attached to a linking group" is found, for example, in the non-limiting examples of the aromatic-based side groups disclosed in paragraph [0015] and Table 1 of the original specification. The Applicants wish to emphasize that although the scope of the claims is not limited by any particular embodiment of the claimed invention, a method of synthesizing an aromatic-based siloxane macromonomer of the present invention is disclosed in paragraph [0016]. Such a macromonomer can be made by a two-step process. In the first step, a silicone hydride-containing macromonomer is made. In the second step, this silicone-hydride macromonomer is reacted with an allylic functionalized aromatic to attach the

aromatic group to the silicon atom. Thus, the side group R comprises the aromatic group covalently attached to the linking group.

Claim Rejection Under 35 U.S.C. § 102

Claims 16, 17, and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Toyoshima. The Applicants respectfully traverse this rejection because Toyoshima does not disclose each and every element of each of claims 16, 17, and 21.

"[A]n invention is anticipated if the same device, including all the claim limitations, is shown in a single prior art reference. Every element of the claimed invention must be *literally* present, arranged as in the claim. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

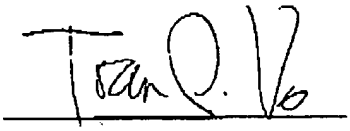
Toyoshima discloses only that some side groups are phenyl. See; e.g., column 3, lines 35-37; and column 5, lines 1-3, 31-34. Toyoshima's phenyl side groups are attached directly without any intervening linking group to the silicon atom.

In contradistinction, each of claims 16, 17, and 21 recites side groups R comprising an aromatic group covalently attached to a linking group.

Since Toyoshima does not disclose each and every element of each of claims 16, 17, and 21, Toyoshima does not anticipate these claims.

In view of the above, it is submitted that the claims are patentable and in condition for allowance. Reconsideration of the rejection is requested. Allowance of the claims at an early date is solicited.

Respectfully submitted,



Toan P. Vo, Ph.D.
Attorney for the applicants
Registration No. 43,225
Telephone: 585-338-8701

Bausch & Lomb, Incorporated
One Bausch & Lomb Place
Rochester, New York 14604
February 28, 2005